

Order

Michigan Supreme Court
Lansing, Michigan

November 9, 2005

Clifford W. Taylor,
Chief Justice

128516

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 128516
COA: 253513
Wayne CC: 03-008585-01

BILAL CHAABAN,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 29, 2005 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the Court of Appeals judgment as to defendant Chaaban and REMAND this case to the Wayne Circuit Court for a new trial. In *Faretta v California*, 422 US 806; 95 S Ct 2525; 45 L Ed 2d 562 (1975), the United States Supreme Court held that a defendant “has a constitutional right to proceed without counsel when he voluntarily and intelligently elects to do so.” The trial court erroneously denied defendant’s unequivocal request to represent himself in violation of *Faretta*. See *People v Russell*, 471 Mich 182 (2004).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 9, 2005

Corbin R. Davis

Clerk